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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
(Honorable Roger T. Benitez)

11 UNITED STATES OF AMERICA,) CASE NO. 09CR0226-BEN
12 Plaintiff,)
13 vs.) **JOINT MOTION TO AMEND**
14 JUSTINE LORRAINE RICE (1),) **RESTITUTION ORDER OF**
15 WENDELL ANTHONY RICE (2),) **DEFENDANTS**
16 Defendants.)

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18 COMES NOW the Plaintiff, UNITED STATES OF AMERICA, by and
19 through its counsel, Laura E. Duffy, United States Attorney, and Carol M. Lee,
20 Assistant United States Attorney, and Defendants, JUSTINE LORRAINE RICE, and
21 WENDELL ANTHONY RICE, pro se, HEREBY JOINTLY move this Court for an
22 amended payment schedule to the Restitution Order. The parties are requesting an
23 Amended Order¹ to reflect that: 1) Each Defendant will pay \$750 monthly toward
24 restitution, payable on the 15th of every month beginning July 15, 2013, continuing
25 till January 2014; 2) Defendants have asked for a modified weekly payment schedule
26 till September 15, 2013; 3) beginning September 15, 2013, Defendants will make the
27 full monthly payment of \$750 per month; 4) this payment schedule will continue after
28

¹The requested Amended Order does not change the original total amount of restitution owed by the defendants.

1 January 2014, unless a financial review at that time warrants an increase to the
2 payment schedule; 5) Defendants will pay more toward their monthly payment if they
3 are financially able to do so; and 6) Defendants continue to be subject to financial
4 review by the U.S. Attorney's Office.

5 Defendants will continue to inform the Probation Department² and United
6 States Attorneys Office about positive and negative material changes to their income.

7 If either party believes a material change exists that mandates a change to this
8 schedule, they will make every effort to agree before calling upon the Court to
9 adjudicate the matter.

10 Respectfully submitted,
11 Dated: July 15, 2013 LAURA E. DUFFY
12 United States Attorney

13 s/Carol M. Lee
14 CAROL M. LEE
15 Assistant United States Attorney
16 Attorney for Plaintiff
UNITED STATES OF AMERICA
Email: carol.lee@usdoj.gov

17 Dated: July 15, 2013 s/Justine Lorraine Rice
18 Defendant

19
20 Dated: July 15, 2013 s/Wendell Anthony Rice
21 Defendant

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23
24
25 I hereby certify that the content of this document is acceptable to all persons
26 required to sign and I have been authorized to e-file this document with the electronic
27 signature of Justine Lorraine Rice and Wendell Anthony Rice.

28

²Defendant Wendell Anthony Rice's supervised release is scheduled to end in September 2013. Defendant Justine Rice's supervised release will continue longer.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

JUSTINE LORRAINE RICE (1),
WENDELL ANTHONY RICE (2),

Defendants.

Court No. 09CR0226-BEN

CERTIFICATE OF SERVICE
BY MAIL

IT IS HEREBY CERTIFIED THAT:

I, Carol M. Lee, am a citizen of the United States over the age of eighteen years, and a resident of San Diego County, California; my business address is 880 Front Street, Room 6293, San Diego, California 92101-8893. I am not a party to the above-entitled action.

I hereby certify that I have caused to be mailed the **Joint Motion to Amend Restitution Order of Defendants**, by the United States Postal Service, to the following non-ECF participants in this case:

Justine and Wendell Rice
2520 Northside Drive, No. 203
San Diego, CA 92108

the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true.

DATED: July 15, 2013.

s/Carol M. Lee
CAROL M. LEE
Assistant U. S. Attorney